

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NASIR FOWLER, :
v. Plaintiff, :
CVS HEALTH CVS/PHARMACY, :
Defendant. :
: CIVIL ACTION
: NO. 15-1595

ORDER

AND NOW, this 23rd day of June, 2015, upon consideration of Plaintiff's Complaint, (Dkt No. 1), Defendant's Motion to Dismiss, (Dkt No. 2), and Plaintiff's Response, (Dkt No. 5), it is hereby ORDERED that:

1. Defendant's Motion to Dismiss, (Dkt No. 2), as to Counts I-V is GRANTED and these claims are DISMISSED WITH PREJUDICE;
2. Defendant's Motion to Dismiss, (Dkt No. 2), as to Count VI is DENIED as to one theory of liability described in the attending Memorandum of Law, but GRANTED as to all other theories of liability and such theories are DISMISSED WITH PREJUDICE.

Thus, the only remaining claim is Count VI on a narrow theory of liability described in the attending Memorandum of Law.

BY THE COURT:

/s/ C. Darnell Jones, II

C. Darnell Jones, II J.